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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,961	01/29/2002	Lars Egnell	AB-1162 US	2906

7590 01/12/2005  
Michael Shenker  
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San Jose, CA 95110

EXAMINER

LE, TRAN Q

ART UNIT	PAPER NUMBER
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2633

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED**  
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**Office Action Summary**

Application No.

09/936,961

Applicant(s)

LARS EGNELL, SALTSJOBADEN

Examiner

Tran Q. Le

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>April 3, 2002</u> | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION*****Drawings***

1. Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henmi (US Patent No. 6,137,603) in view of Yamane (US Patent No. 5,434,691).

Regarding claim 1, Henmi discloses an insertion node that functions like a receiver transponder to be used in an optical add and drop node connected in a

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two-fiber network (fig. 1), characterized by first and second optoelectric converters for converting received optical signals to electric signals and each having an optical input terminal and an output terminal (1052, 1053, fig. 2, obviously, the optical receivers function like optoelectric converters to provide electrical signals to the electrical switch 1072), the first optoelectric converter having its optical input terminal connected to an optical fiber carrying light signals from a first direction for receiving the light signals and for converting them to electric signals (fig. 2, the first optoelectric converter 1052 has an input connecting to the working fiber 1021 to receive the optical signals and convert them to electrical signals) and the second optoelectric converter having its optical input terminal connected to an optical fiber carrying light signals from a second direction opposite the first direction for receiving the light signals and converting them to electric signals (fig. 2, the second optoelectric converter 1053 has an input connecting to the protection fiber 1022 to receive the optical signals and convert them to electrical signals), an electronic switch having two signal input terminals (1072, fig. 2 and col. 1, lines 35-37) and a signal output terminal (fig. 2), the two optoelectric converters connected with their output terminals to the two signal input terminals of the electronic switch (outputs of optoelectric converters 1052 and 1053 are connected to the input of the electrical switch 1072). Although Henmi does not disclose the switch 1072 is controlled by a control signal, Henmi does disclose the switch 1072, which selects signals from one of the two input terminals (col. 1, lines 35-37). Therefore, there must be some kind of control signal applied to the switch 1072 in order to direct the switch to select signals

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from one of the input terminals. Furthermore, Yamane, from the same field of endeavor, teaches transmitter/receiver devices each of which has a switching control signal (switching control, fig. 3) to control the switching units (6 and 60, fig. 3) in both active and protection system. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the switching unit of Henmi with a switching control signal as taught by Yamane in order to direct the switch to properly select signals from the working link or a protection link.

Regarding claim 7, Henmi discloses a protected two-fiber network comprising optical add and drop nodes connected by links to form a ring (nodes 1011-1014, fig. 1), first optical fibers connected to form a first ring and transmitting light signals in a first direction (1021, fig. 1) and second optical fibers connected to form a second ring parallel to the first ring and transmitting light signals in a second direction opposite the first direction (1022, fig. 1), each optical add and drop node comprising a receiver transponder and a switch for choosing a direction from which information on a channel terminated in the considered optical add and drop node is to be received in the node (figure 2 shows the components of each optical add and drop node in the two-fiber ring network of figure 1 that comprises a receiver transponder and a switch that has all the functions as disclosed in the rejection of claim 1 above).

4. Claims 2-6, 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henmi (US Patent No. 6,137,603) in view of Yamane (US

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Patent No. 5,434,691) and further in view of Kitamura et al. (US Patent No. 5,130,837).

Regarding claims 2 and 8, the combination of Henmi and Yamane discloses all the aspects as applied to claims 1 and 7 above, except fails to teach an electronic reshaping circuit having an input terminal and an output terminal, the input terminal connected to the signal output terminal of the electronic switch for reshaping a signal output from the electronic switch. However, Kitamura, from the same field of endeavor, teaches an optical repeater having a regeneration circuit (16, fig. 1) that provides reshaping function like an electronic reshaping circuit having an input terminal and an output terminal (fig. 1), the input terminal connected to the signal output terminal of the electronic switch for reshaping a signal output from the electronic switch (fig. 1 and fig. 5, the input terminal of the regeneration circuit is connected indirectly to the signal output terminal of the electronic switch 64a via the interface unit 16). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the regeneration circuit of Kitamura into the combination of Henmi and Yamane and place after the electronic switch in order to reshape the electrical signal from the output of the electronic switch to obtain higher quality signals.

Regarding claims 3 and 9, the combination of Henmi and Yamane discloses all the aspects as applied to claims 1 and 7 above, except fails to teach an electronic reshaping circuit is also arranged to clean the signal output from the electronic switch from a supervisory channel. However, Kitamura, from the same

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field of endeavor, teaches an optical repeater having regeneration circuit (16, fig. 1), which obviously can be used to amplify/retime/reshape the digital signal coming from the supervisory device 40, therefore, it can be interpreted as "clean" the signal output from the electronic switch from a supervisory channel.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the regeneration circuit of Kitamura into the combination of Henmi and Yamane in order to provide additional conditioning for the output signals to achieve a higher signal quality.

Regarding claims 4 and 10, the output signal from the regeneration circuit inherently has a certain power level, which can be considered as "a predetermined electric power".

Regarding claims 5, 6, 11 and 12, the combination of Henmi and Yamane discloses all the aspects as applied to claims 1 and 7 above, except fails to teach the output terminal of the electronic reshaping circuit connected to the input terminal of the laser, the laser producing a light signal provided to a client layer. However, Kitamura, from the same field of endeavor, teaches the output terminal of the regeneration circuit (16, fig. 1) connected to the input terminal of the laser (LD, fig. 1 and col. 1, lines 58-61), the laser producing a light signal provided to a client layer (fig. 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the regeneration circuit 16 with the laser diode 17 of Kitamura having the input connecting to the output of the regeneration circuit into the combination of Henmi and Yamane in order to provide the optical signals for transmission down the line.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakai et al. (US Patent No. 4,829,512) is cited to show a loop-back control apparatus for a loop network having duplicate optical fiber transmission lines.

Milton et al. (US Patent No. 6,748,174) is cited to show a WDM optical network with passive pass-through at each node.

Vojvodich et al. (US Patent No. 4,227,260) is cited to show an electronic active star element for an optical data transmission system having a signal reconstruct circuit for pulse shaping and any necessary synchronization takes place in well known fashion.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran Q. Le whose telephone number is (571)272-2046. The examiner can normally be reached on 8am-5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571)272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TQL

  
**HANH PHAN**  
PRIMARY EXAMINER

<b>Notice of References Cited</b>	Application/Control No. 09/936,961	Applicant(s)/Patent Under Reexamination LARS EGNELL, SALTSJOBADEN	
	Examiner Tran Q. Le	Art Unit 2633	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,137,603	10-2000	Henmi, Naoya	398/4
	B	US-5,434,691	07-1995	Yamane, Kazuo	398/5
	C	US-5,130,837	07-1992	Kitamura et al.	398/37
	D	US-4,829,512	05-1989	Nakai et al.	370/224
	E	US-6,748,174	06-2004	Milton et al.	398/79
	F	US-4,227,260	10-1980	Vojvodich et al.	398/61
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Department of Commerce, Patent and Trademark Office					Atty Docket No.		Serial No.	
					AB-1162 US		09/936,961	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					Applicant(s)			
(Use several sheets if necessary)					Egnell, Lars			
					Filing Date		Group	
					March 20, 2000		Unknown	
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA							
	AB							
	AC							
	AD							
	AE							
	AF							
	AG							
	AH							
	AI							
	AJ							
	AK							
Foreign Patent Documents								
		Document	Date	Country	Class	Subclass	Translation	
							Yes	No
TQL	AL	0 668 674 A2	08/23/95	Europe				
TQL	AM	0 689 309 A2	12/27/95	Europe				
TQL	AN	WO 98/52314	11/19/98	PCT				
	AO							
	AP							
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
TQL	AQ	Marsan, M. Ajmone et al., "Daisy: a scalable all-optical packet network with multifiber ring topology," <i>Computer Networks and ISDN Systems</i> , Vol. 30, 1998, pp. 1065-1082						
	AR							
	AS							
Examiner		Date Considered						
D. J. M. W. L.		1/4/05						
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.								

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